

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

STEVE MILLER, BILL WESLEY, JANE
KRANZ, KATHI YARBOROUGH,
SANTIAGO RESTREPO, JAMES
SALVATORI, SCOTT LYNCH,
MAUREEN SCHECHTMAN, KEVIN
WILLIAMS, TERRY WARD, LIDIA BRAVO,
LILIYA KRASILNIKOVA, TOM
MARTELLO, CARLOS RESTREPO,
LOUISE SKINIOTES, ALEXANDER,
SKINIOTES, BRIAN PATTERSON AND
CLIFF ASBURY,

Plaintiffs,

v.

NATIONAL CITY CORPORATION,
NATIONAL CITY BANK D/B/A NATIONAL
CITY MORTGAGE AND NATIONAL CITY
MORTGAGE COMPANY,

Defendants.

Case No. _____

Judge: _____

FILED: JULY 15, 2008

08CV4016

JUDGE LEFKOW

MAGISTRATE JUDGE DENLOW

PH

NOTICE OF REMOVAL

Defendants National City Corporation and National City Bank d/b/a National City Mortgage Company, improperly identified in the Complaint as "National City Mortgage," (collectively, "Defendants"), pursuant to 28 U.S.C. §§ 1332, 1441 and 1446, hereby remove to this Court the lawsuit captioned *Steve Miller, et al. v. National City Corporation, National City Bank d/b/a National City Mortgage and National City Mortgage Company*, Case No. 08-M5-1217 (Circuit Court of Cook County, Illinois, Municipal Department, Fifth District) ("State Court Lawsuit"). In support of removal, Defendants state as follows:

I. Introduction

1. On July 8, 2008, Steve Miller, Bill Wesley, Jane Kranz, Kathi Yarborough, Santiago Restrepo, James Salvatori, Scott Lynch, Maureen Schechtman, Kevin Williams, Terry Ward, Lidia Bravo, Liliya Krasilnikova, Tom Martello, Carlos Restrepo, Louise Skiniotes, Alexander Skiniotes, Brian Patterson and Cliff Asbury (collectively "Plaintiffs") filed the State Court Lawsuit against Defendants.

2. Plaintiffs' Complaint alleges that prior to June 6, 2008, Defendants operated a National City Mortgage Company branch location at 12800 South Ridgeland, Unit H, Palos Heights, Illinois 60463 and that National City employed the Plaintiffs to work at the Palos Heights location. (Comp. ¶¶ 5, 6) The Complaint further alleges that on June 6, 2008, National City suspended Plaintiffs and denied them access to the Palos Heights location. (Comp. ¶¶ 7-9) The Complaint alleges two counts. The first count asserts a conversion claim, alleging that, as a result of the closure of the office, Defendants took possession of Plaintiffs' property inside the office, including file cabinets, computers, phones, copy machines, printers, fax machines and various personal items. (Comp. ¶¶ 12-15) The second count asserts a theft claim, alleging that Defendants' unauthorized possession of Plaintiffs' property has deprived Plaintiffs of the value and use of the property, and that Defendants unlawfully obtained the property for their own use and benefit. (Comp. ¶¶ 18-23) Plaintiffs demand the immediate return of the property as relief for their claims.

3. Defendants remove the State Court Lawsuit based on diversity of citizenship pursuant to 28 U.S.C. § 1441. This Notice of Removal is timely and proper pursuant to the provisions of 28 U.S.C. § 1446(b).

II. Diversity Jurisdiction Exists In This Case

4. Removal is appropriate in this case on diversity grounds because this is a civil action between citizens of different states and the matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs. *See 28 U.S.C. §§ 1332(a), 1441(b).*

A. This Is A Civil Action Between Citizens Of Different States

5. Defendant National City Corporation is incorporated under the laws of the state of Delaware and has its principal place of business in Cleveland, Ohio. Defendant National City Mortgage Company is a subsidiary of National City Corporation and has its principal place of business in Ohio. Defendant National City Bank is incorporated under the laws of the state of Ohio and has its principal place of business in Ohio.

6. At the time this action was filed, Plaintiffs were, and continue to be, citizens and residents of the state of Illinois. *See 28 U.S.C. § 1332(b).*

B. The Matter In Controversy Exceeds The Sum Or Value Of \$75,000

7. The matter in controversy in the State Court Lawsuit exceeds the sum or value of \$75,000, exclusive of interest or costs. *See 28 U.S.C. §§ 1332(a).*

8. It is well-established that where, as here, a complaint does not specify the amount of recovery it seeks, a defendant may remove the case on diversity grounds based on a showing that there is a “reasonable probability” that the plaintiff’s claims meet the federal amount-in-controversy requirement. *See, e.g., Vail v. Orkin Exterminating Co., Inc.*, 1991 WL 134275 *2 (N.D.Ill. June 12, 1991) (applying “reasonable probability” test when plaintiff’s complaint alleged damages below federal jurisdictional amount). Moreover, in actions seeking declaratory or injunctive relief, the amount in controversy is measured by the “object of the litigation.” *Hunt v. Washington State Apple Advertising Comm’n*, 432 U.S. 333, 347 (1974). Evaluating the cost

or value of an injunction must be done from the “viewpoint of *either* the plaintiff or the defendant.” *In re Brand Name Prescription Drugs Antitrust Litigation*, 123 F.3d 599, 609 (7th Cir. 1997); *McCarty v. Amoco Pipeline Co.*, 595 F.2d 389, 391-95 (7th Cir. 1979). Here, it is “reasonably probable” that Plaintiffs’ claims exceed the sum or value of \$75,000.

9. The cost or value of the injunctive relief sought by Plaintiffs exceeds \$75,000 because the value of the physical property – *i.e.*, the computers – *plus* the information stored on the computers exceeds \$75,000. Specifically, the personal computer equipment in question consists of ten desktops, four laptops and two servers. The 14 computers have an approximate value of \$1,000 each, and the servers have an approximate value of \$10,000 each. Thus, the value of the equipment is approximately \$34,000.

10. In addition, the value of the information stored on the computers, which is the true source of the dispute at issue in this litigation, easily exceeds \$75,000. Plaintiffs used the computers while employed by National City and had job responsibilities that primarily involved the solicitation of mortgage loan customers and the preparation of mortgage loan applications. Accordingly, the computers contain confidential private financial data relating to National City applicants and customers, including but not limited to, checking, savings and credit card account information, outstanding debt and liabilities, social security numbers, and client contact information. This information has been used to generate loans worth hundreds of millions of dollars to National City and is clearly worth well in excess of \$75,000 to Defendants.

11. Further, Title V of the Gramm-Leach-Bliley Act (15 U.S.C. ¶ 6801 et seq.) requires financial institutions such as Defendants to ensure the protection and non-disclosure of confidential client information. Breach of this obligation by returning computers containing this confidential information to Plaintiffs may make Defendants subject to damages and penalties

well in excess of \$75,000. Accordingly, for this reason as well it is probable that the amount in controversy exceeds \$75,000.

III. Compliance With 28 U.S.C. § 1446

12. The above-captioned action was commenced within the judicial district of the United States District Court for the Northern District of Illinois.

13. All pleadings in the State Court Lawsuit received by Defendants are attached to this Notice of Removal as Exhibit 1, in compliance with 28 U.S.C. § 1446(a).

14. This Notice of Removal is being filed with this Court within 30 days after receipt of the Complaint, in compliance with 28 U.S.C. § 1446(b).

15. Concurrently with the filing of this Notice of Removal, Defendants are giving written notice of the filing of this Notice of Removal to all parties of record and are filing a copy of the Notice of Removal with the Clerk of the Circuit Court of Cook County, Illinois, Municipal Department, Fifth District, as required by 28 U.S.C. § 1446(d).

Dated: July 15, 2008

Respectfully submitted,

s/ Michael J. Gray

Michael J. Gray (IL Bar No. 06210880)
E-mail: mjgray@jonesday.com
Brent D. Knight (IL Bar No. 6251708)
E-mail: bknight@jonesday.com
Rheaana Towner Guess (IL Bar No. 6284151)
E-mail: rguess@jonesday.com
JONES DAY
77 West Wacker, Suite 3500
Chicago, IL 60601-1692
Telephone: (312) 782-3939
Facsimile: (312) 782-8585

Attorneys for Defendants
National City Corporation, National City Bank
and National City Mortgage Company

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing **NOTICE OF REMOVAL** has been served upon counsel of record this 15th day of July, 2008, by facsimile and U.S. Mail, first class, postage prepaid, as follows:

Alan Bruggerman
Bruggerman, Hurst & Associates, PC
20012 Wolf Road, Suite 200
Mokena, Illinois, 60448

s/ Rheaana Towner Guess
Rheaana Towner Guess

08CV4016

JUDGE LEFKOW

MAGISTRATE JUDGE DENLOW

COPY

STATE OF ILLINOIS)
) SS PH
COUNTY OF COOK)

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
MUNICIPAL DEPARTMENT, FIFTH DISTRICT**

STEVE MILLER, BILL WESLEY,)
JANE KRANZ, KATHI YARBOROUGH,)
SANTIAGO RESTREPO, JAMES SALVATORI,)
SCOTT LYNCH, MAUREEN SCHECHTMAN,)
KEVIN WILLIAMS, TERRY WARD, LIDIA)
BRAVO, LILIYA KRASILNIKOVA, TOM)
MARTELLO, CARLOS RESTREPO, LOUISE)
SKINIOTES, ALEXANDER SKINIOTES,)
BRIAN PATTERSON, and CLIFF ASBURY,)

Plaintiffs,)

vs.)

NATIONAL CITY CORPORATION,)
NATIONAL CITY BANK d/b/a NATIONAL)
CITY MORTGAGE, and, NATIONAL)
CITY MORTGAGE COMPANY)

Defendant.)

08M5 1217

No:

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08 JUL -8 PM 1:23
CLERK OF THE CIRCUIT COURT
DISTRICT-5
DOROTHY BROWN CLERK

VERIFIED COMPLAINT

Plaintiffs set forth above, by their attorneys, Bruggeman, Hurst & Associates, P.C., complain of Defendants, National City Corporation, National City Bank d/b/a National City Mortgage, and National City Mortgage Company (hereinafter "National City"), and in support thereof state as follows:

1. Plaintiffs at all relevant times were employed by the Defendants in Palos Heights, Illinois 60463.

2. Defendants, National City, at all relevant times operated a business at 12800 South Ridgeland Avenue, Unit H, Palos Heights, Illinois 60463.

JURISDICTION/VENUE

3. Jurisdiction is proper pursuant to 735 ILCS 5/2-209(a)(2) and 735 ILCS 5/2-209(b)(2), because the tortious act that is the subject of this Complaint occurred within this State, Defendants transact business within this State, and Defendants rent and use property within this State.

4. Venue is proper in Cook County pursuant to 735 ILCS 5/2-101(1) and (2), because the tortious act that is the subject of this Complaint occurred in Cook County, Defendants transacts business in Cook County, and Defendants rent and use property in Cook County.

FACTUAL BACKGROUND

5. Prior to June 6, 2008, Defendants, National City, operated a National City Mortgage branch location at 12800 South Ridgeland, Unit H, Palos Heights, Illinois 60463.

6. Prior to June 6, 2008, Defendants, National City, employed the Plaintiffs to work at said National City Mortgage location in Palos Heights, Illinois.

7. On or about June 6, 2008, Defendants, National City, suspended the Plaintiffs without notice or just cause.

8. On or about June 6, 2008, Defendants, National City, changed the locks at said National City Mortgage location in Palos Heights, Illinois.

9. On or about June 6, 2008, Defendants, National City, denied the Plaintiffs access to the National City Mortgage location in Palos Heights, Illinois.

10. On or about June 9, 2008, Defendants, National City, took down the signs at said National City Mortgage location in Palos Heights, Illinois, and removed certain items from within the offices at said location, including personal property of the Plaintiffs.

COUNT I - CONVERSION

11. The Plaintiffs reallege and incorporate Paragraphs 1 through 10 of this Complaint as Paragraph 11 of Count I, as though fully set forth herein.

12. On or about June 6, 2008 and June 9, 2008, Defendants, National City, took possession of property at said National City Mortgage location in Palos Heights, Illinois, including, on information and belief, file cabinets, computers, phones, copy machines, printers and fax machines.

13. On or about June 6, 2008 and June 9, 2008, Defendants, National City, also took possession of various personal items of the Plaintiffs, including personal business files and personal computers.

14. Much of the property Defendants, National City, have taken possession of does not belong to National City, including the Plaintiffs' business files and personal computers.

15. Plaintiffs have not authorized Defendants, National City, to take, use, possess or control the above-mentioned property.

16. On or about June 26, 2008, Plaintiffs demanded the immediate return of the above-mentioned property, including their personal computers, but Defendants failed and refused, and continue to fail and refuse to return the entirety of this property, including the personal computers, to Plaintiffs. A copy of Plaintiffs' written demand for return of the property is attached hereto as Exhibit 1 and made a part hereof.

WHEREFORE, Plaintiffs set forth above, pray that this Court enter judgment in their favor, and against Defendants, National City, in an amount not exceeding \$50,000.00, and order the Defendants to immediately return the property mentioned above, including Plaintiffs' personal computers, together with costs and such other and further relief as this Court deems just.

COUNT II – THEFT

17. The Plaintiffs reallege and incorporate Paragraphs 1 through 10 of this Complaint as Paragraph 17 of Count II, as though fully set forth herein.

18. On or about June 6, 2008 and June 9, 2008, Defendants, National City, took possession of property at said National City Mortgage location in Palos Heights, Illinois, including, on information and belief, file cabinets, computers, phones, copy machines, printers and fax machines.

19. On or about June 6, 2008 and June 9, 2008, Defendants, National City, also took possession of various personal items of the Plaintiffs, including personal business files and personal computers.

20. Much of the property Defendants, National City, have taken possession of does not belong to National City Bank, including the Plaintiffs' business files and personal computers.

21. Plaintiffs have not authorized Defendants, National City, to take, use, possess or control the above-mentioned property.

22. Defendants have deprived the Plaintiffs of the value and use of their property.

23. On information and belief, Defendants intend to use the unlawfully obtained property of the Plaintiffs for its own personal use and benefit.

24. On or about June 26, 2008, Plaintiffs demanded the immediate return of the above-mentioned property, including their personal computers, but Defendants failed and refused, and continue to fail and refuse to return the entirety of this property, including the personal computers, to Plaintiffs. A copy of Plaintiffs' written demand for return of the property is attached hereto as Exhibit 1 and made a part hereof.

WHEREFORE, Plaintiffs set forth above, pray that this Court enter judgment in their favor, and against Defendants, National City, in an amount not exceeding \$50,000.00, and order the Defendants to immediately return the property mentioned above, including Plaintiffs' personal computers, together with costs and such other and further relief as this Court deems just.

BRUGGEMAN, HURST & ASSOCIATES, P.C.

By: _____

One of Plaintiffs' Attorneys

6601 Wolf Rd
BRUGGEMAN, HURST & ASSOCIATES, P.C. #38920
Attorneys for Plaintiffs
20012 Wolf Road
Suite 200
Mokena, Illinois 60448
(708) 478-6900

STATE OF ILLINOIS)
COUNTY OF COOK)
) SS
)

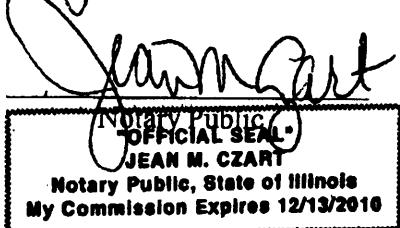
VERIFICATION

Steve Miller on behalf of the Plaintiffs, upon oath states that he has read the above and foregoing Verified Complaint, and that the same is true and correct to the best of his knowledge.

~~Steve Miller on behalf of the Plaintiffs~~

SUBSCRIBED AND SWORN TO

before me this 3rd day of
July, 2008.



STATE OF ILLINOIS)
COUNTY OF COOK)
) SS

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
MUNICIPAL DEPARTMENT, FIFTH DISTRICT**

SUPREME COURT RULE 222 AFFIDAVIT

NOW COMES Steve Miller and behalf of the Plaintiffs and pursuant to Supreme Court Rule 222(b), state that the above-entitled cause seeks money damages which will not exceed \$50,000.00.

Steve Miller on behalf of the Plaintiffs

SUBSCRIBED AND SWORN TO

before me this  day of

July, 2001



BRUGGEMAN, HURST & ASSOCIATES, PC
ATTORNEYS AT LAW

20012 WOLF ROAD
 SUITE 200
 MOKENA, ILLINOIS 60448
 PHONE: (708) 478-6900
 FAX: (708) 478-6911

ALAN R. BRUGGEMAN
 DAVID C. HURST

JEANETTE M. RIEL
 (1960-2007)

June 26, 2008

MICHAEL G. BOUCK
 MIKAL J. STOLE
 CHRIS KOCHANOWICZ

VIA FACSIMILE
 (312) 782-8585
 Mr. Brent D. Knight
 Jones Day
 77 West Wacker
 Suite 3500
 Chicago, Illinois 60601

Re: Miller/National City Mortgage

Dear Mr. Knight:

Please be advised that we represent the following individuals who were terminated by National City Mortgage and locked out of their offices:

Alexander Skiniotes
 Bill Wesley
 Jane Cranz
 Kathi Yarbrough
 Santiago Restrepo
 James Salvatori
 Kevin Williams
 Louise Skiniotes

Scott Lynch
 Maureen Schechtman
 Terry Ward
 Lidia Bravo
 Lilliya Krasilnikova
 Tom Martello
 Carlos Restrepo

Demand is made for the return of each individual's personal property by Friday, June 27, 2008, or they will take legal action.

Very truly yours,

 Alan R. Bruggeman

ARB:jmc

cc: National City Mortgage

EXHIBIT

1

08CV4016

JUDGE LEFKOW

MAGISTRATE JUDGE DENLOW

STATE OF ILLINOIS) PH
) SS
COUNTY OF COOK)

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
MUNICIPAL DEPARTMENT, FIFTH DISTRICT

STEVE MILLER, BILL WESLEY,)
JANE KRANZ, KATHI YARBOROUGH,)
SANTIAGO RESTREPO, JAMES SALVATORI,)
SCOTT LYNCH, MAUREEN SCHECHTMAN,)
KEVIN WILLIAMS, TERRY WARD, LIDIA)
BRAVO, LILIYA KRASILNIKOVA, TOM)
MARTELLO, CARLOS RESTREPO, LOUISE)
SKINIOTES, ALEXANDER SKINIOTES,)
BRIAN PATTERSON, and CLIFF ASBURY,)

Plaintiffs,)
vs.)
NATIONAL CITY CORPORATION,)
NATIONAL CITY BANK d/b/a NATIONAL)
CITY MORTGAGE, and, NATIONAL)
CITY MORTGAGE COMPANY)
Defendant.)

No: 08 M5 1210
5 FILED 5
08 JUL -8 PM 1:30
CLERK OF THE CIRCUIT COURT
DISTRICT 5
DOROTHY BROWN CLERK

NOTICE OF EMERGENCY MOTION

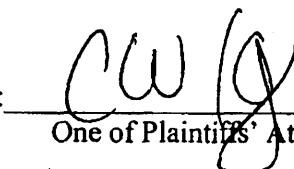
To: National City Mortgage Company 3232 Newmark Drive Miamisburg, Ohio 45342	National City Bank d/b/a National City Mortgage 7151 West 159th Street Tinley Park, Illinois 60477
National City Corporation 1900 East Ninth Street Cleveland, Ohio 44114	

YOU ARE HEREBY NOTIFIED that on July 16, 2008 at 9:30 a.m., or as soon thereafter as counsel may be heard, I shall appear before the Honorable presiding Judge, Courtroom 205, Bridgeview Courthouse, 10220 South 76th Avenue, Bridgeview, Illinois and then and there present:

Emergency Motion for Injunctive Relief

a copy of which is enclosed, at which time you may appear if you so desire.

BRUGGEMAN, HURST & ASSOCIATES, P.C.

By: 

One of Plaintiffs' Attorneys

BRUGGEMAN, HURST & ASSOCIATES, LTD. #38920
Attorneys for Plaintiffs
20012 Wolf Road
Suite 200
Mokena, Illinois 60448
(708) 478-6900

CERTIFICATE OF SERVICE

The undersigned hereby certifies that he/she mailed a copy of the foregoing Notice of Emergency Motion and Emergency Motion for Injunctive Relief to:

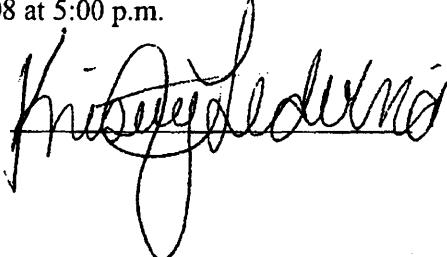
National City Mortgage Company
3232 Newmark Drive
Miamisburg, Ohio 45342

National City Bank d/b/a National City Mortgage
7151 West 159th Street
Tinley Park, Illinois 60477

National City Corporation
1900 East Ninth Street
Cleveland, Ohio 44114

by depositing a copy of same personally in the United States mail at Mokena, Illinois properly addressed to said attorney with proper postage affixed thereto on the 8th day of July, 2008.

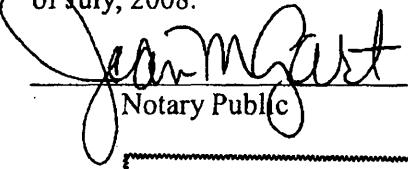
The undersigned further certifies that a copy of the foregoing instrument was served upon the attorneys of record of all parties to the above cause as disclosed by the pleadings of record herein, by Telefax to National City Corporation, Fax No. (216) 222-9957, to National City Bank d/b/a National City Mortgage, Fax No. (708) 429-3099 and to National City Mortgage Company, Fax No. (937) 910-3333 on the 8th day of July, 2008 at 5:00 p.m.



SUBSCRIBED AND SWORN TO

before me this 8th day

of July, 2008.



Notary Public

"OFFICIAL SEAL"
JEAN M. CZART
Notary Public, State of Illinois
My Commission Expires 12/13/2010

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

COPY

**IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
MUNICIPAL DEPARTMENT, FIFTH DISTRICT**

STEVE MILLER, BILL WESLEY,)
JANE KRANZ, KATHI YARBOROUGH,)
SANTIAGO RESTREPO, JAMES SALVATORI,)
SCOTT LYNCH, MAUREEN SCHECHTMAN,)
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MARTELLO, CARLOS RESTREPO, LOUISE)
SKINIOTES, ALEXANDER SKINIOTES,)
BRIAN PATTERSON, and CLIFF ASBURY,)
Plaintiffs,)
vs.)
NATIONAL CITY CORPORATION,)
NATIONAL CITY BANK d/b/a NATIONAL)
CITY MORTGAGE, and, NATIONAL)
CITY MORTGAGE COMPANY)
Defendant.)

No: 08 M5 121
08 JUL -8 PM 1:31
CLERK OF THE CIRCUIT COURT
CLERK OF THE FIFTH DISTRICT
DOROTHY BROWN CLERK

5 FILED 5

EMERGENCY MOTION FOR INJUNCTIVE RELIEF

Plaintiffs set forth above, by their attorneys, Bruggeman, Hurst & Associates, P.C., for their Emergency Motion for Injunctive relief against Defendants, National City Corporation, National City Bank d/b/a National City Mortgage, and National City Mortgage Company (hereinafter "National City"), state as follows:

1. Plaintiffs at all relevant times were employed by the Defendants in Palos Heights, Illinois 60463.

2. Defendants, National City, at all relevant times operated a business at 12800 South Ridgeland Avenue, Unit H, Palos Heights, Illinois 60463.

3. On or about June 6, 2008, Defendants, National City, suspended the Plaintiffs without notice or just cause.

4. On or about June 6, 2008, Defendants, National City, changed the locks at said National City Mortgage location in Palos Heights, Illinois.

5. On or about June 6, 2008, Defendants, National City, denied the Plaintiffs access to the National City Mortgage location in Palos Heights, Illinois.

6. On or about June 6, 2008, Defendants, National City, took possession of property at said National City Mortgage location in Palos Heights, Illinois, including, on information and belief, file cabinets, computers, phones, copy machines, printers, and fax machines.

7. On or about June 6, 2008, Defendants, National City, also took possession of various personal items of the Plaintiffs, including personal business files and personal computers.

8. Much of the property Defendants, National City, have taken possession of does not belong to National City, including the Plaintiffs' personal business files and personal computers.

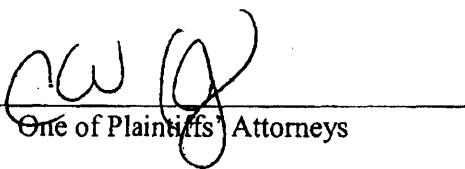
9. Plaintiffs have not authorized Defendants, National City, to take, use, possess, access, or control the above-mentioned personal property.

10. On or about June 26, 2008, Plaintiffs demanded the immediate return of the above-mentioned property, including their personal computers, but Defendants failed and refused, and continue to fail and refuse to return the entirety of this property, including the personal computers, to Plaintiffs. A copy of Plaintiffs' written demand for return of the property is attached hereto as Exhibit 1 and made a part hereof.

11. Plaintiffs' right to possession, control, and privacy in and of their personal property, has and will continue to be violated if Defendant continues in its refusal to return said items to the Plaintiffs.

WHEREFORE, Plaintiffs set forth above, pray that this Court grant their Emergency Motion for Injunctive Relief and deny the Defendants any use, possession, access, and control of the personal property of the Plaintiffs, including personal business files and personal computers. Plaintiffs further pray that this Court order the Defendants to immediately return all personal property of the Plaintiffs, including personal business files and personal computers.

BRUGGEMAN, HURST & ASSOCIATES, P.C.

By: 

One of Plaintiffs' Attorneys

BRUGGEMAN, HURST & ASSOCIATES, P.C. #38920
Attorneys for Plaintiffs
20012 Wolf Road, Suite 200
Mokena, Illinois 60448
(708) 478-6900

BRUGGEMAN, HURST & ASSOCIATES, PC
ATTORNEYS AT LAW

20012 WOLF ROAD
SUITE 200
MOKENA, ILLINOIS 60448
PHONE: (708) 478-6900
FAX: (708) 478-6911

ALAN R. BRUGGEMAN
DAVID C. HURST

JEANETTE M. RIEL
(1960-2007)

June 26, 2008

MICHAEL G. BOUCK
MIKAL J. STOLE
CHRIS KOCHANOWICZ

VIA FACSIMILE

(312) 782-8585
Mr. Brent D. Knight
Jones Day
77 West Wacker
Suite 3500
Chicago, Illinois 60601

Re: Miller/National City Mortgage

Dear Mr. Knight:

Please be advised that we represent the following individuals who were terminated by National City Mortgage and locked out of their offices:

Alexander Skiniotes	Scott Lynch
Bill Wesley	Maureen Schechtman
Jane Cranz	Terry Ward
Kathi Yarbrough	Lidia Bravo
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James Salvatori	Tom Martello
Kevin Williams	Carlos Restrepo
Louise Skiniotes	

Demand is made for the return of each individual's personal property by Friday, June 27, 2008, or they will take legal action.

Very truly yours,

Alan R. Bruggeman

ARB:jmc

cc: National City Mortgage

EXHIBIT

1

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

STEVE MILLER, BILL WESLEY, JANE KRANZ, KATHI YARBOROUGH, SANTIAGO RESTREPO, JAMES SALVATORI, SCOTT LYNCH, MAUREEN SCHECHTMAN, KEVIN WILLIAMS, TERRY WARD, LIDIA BRAVO, LILIYA KRASILNIKOVA, TOM MARTELLO, CARLOS RESTREPO, LOUISE SKINIOTES, ALEXANDER SKINIOTES, BRIAN PATTERSON AND CLIFF ASBURY,

Plaintiffs,

v.

NATIONAL CITY CORPORATION,
NATIONAL CITY BANK D/B/A
NATIONAL CITY MORTGAGE AND
NATIONAL CITY MORTGAGE
COMPANY,

Defendant.

08CV4016
JUDGE LEFKOW
MAGISTRATE JUDGE DENLOW

Case No. PH

Judge:

**DEFENDANTS' NATIONAL CITY CORPORATION, NATIONAL CITY BANK
AND NATIONAL CITY MORTGAGE COMPANY CERTIFICATE OF INTEREST
(CORPORATE DISCLOSURE STATEMENT)**

The undersigned, counsel of record for Defendants National City Corporation, National City Bank d/b/a National City Mortgage Company (improperly identified in the Complaint as "National City Mortgage") furnishes the following in compliance with Federal Rule of Civil Procedure 7.1 and Local Rule 3.2:

1. National City Corporation, National City Bank, National City Mortgage Company, improperly named as National City Mortgage, are the full names of every party the undersigned represents in this case.
2. (a) National City Corporation is the parent corporation of National City Bank and National City Mortgage Company.

(b) No publicly held company directly owns 5% or more of National City Corporation. National City Corporation, a publicly traded company, owns 100% of National City Bank and National City Mortgage Company.

3. Jones Day is the only firm whose partners or associates are expected to Appear for National City Corporation, National City Bank and National City Mortgage Company in this case.

Dated: July 15, 2008

Respectfully submitted,

s/ Michael J. Gray

Michael J. Gray (IL Bar No. 06210880)
E-mail: mjgray@jonesday.com
Brent D. Knight (IL Bar No. 6257108)
E-mail: bknight@jonesday.com
Rheaana Towner Guess (IL Bar No. 6284151)
E-mail: rguess@jonesday.com
JONES DAY
77 West Wacker
Chicago, IL 60601-1692
Telephone: (312) 782-3939
Facsimile: (312) 782-8585

Attorneys for Defendant Verizon North, Inc.

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that she caused a true and correct copy of the foregoing **DEFENDANTS' NATIONAL CITY CORPORATION, NATIONAL CITY BANK AND NATIONAL CITY MORTGAGE COMPANY CERTIFICATE OF INTEREST (CORPORATE DISCLOSURE STATEMENT)** to be served on the following by facsimile and first class U.S. mail, postage prepaid, on this 15th day of July, 2008:

Alan Bruggerman
Bruggerman, Hurst & Associates, PC
20012 Wolf Road, Suite 200
Mokena, Illinois, 60448

s/ Rheaana Towner Guess

Rheaana Towner Guess